

HOUSE BILL NO. 763

INTRODUCED BY D. ANKNEY

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING CERTAIN BYPRODUCT MATERIAL PRODUCED IN MONTANA TO BE DISPOSED OF WITHIN THE STATE; AND AMENDING SECTION 50-79-302, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 50-79-302, MCA, is amended to read:

"50-79-302. Disposal of large quantities of radioactive material prohibited -- exceptions and exclusion. (1) ~~No~~ Except as provided in subsection (2), a person may not dispose of a large quantity radioactive material, byproduct material, or special nuclear material within the state of Montana.

~~————(2) Byproduct material (except large quantity radioactive material) possessed, used, and transported for educational purposes, scientific research and development, medical research, diagnosis, and treatment, geophysical surveying, and similar uses licensed by the United States nuclear regulatory commission shall be excepted from this part, provided that such material is being or has been lawfully disposed of within Montana upon the effective date of this Act.~~

~~————(3) Nothing in this part precludes the construction of a nuclear facility approved under the requirements of the Montana Major Facility Siting Act, or the mining of any raw ore, provided that such activity is not inconsistent with this part.~~

(2) Byproduct material composed solely of tailings or wastes produced in Montana by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content may be disposed of in this state."

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